

The next two sections deal with artificial insemination by donor and with the ethical situation surrounding conception *in vitro*. The first stresses that Artificial Insemination by Donor (AID) is here to stay, that in some couples it remains the only alternative to childlessness and that, at least for the foreseeable future, the subject will continue to attract considerable media publicity. The second section which is in fact the Galton Lecture of 1982 was delivered by Dr R G Edwards and describes his well-known work with Dr Patrick Steptoe. The issue is considered mainly in the historical vein and reviews subjects already well covered in the literature.

The field of genetics dominates the remainder of the symposium. There are contributions on genetic registers, screening for carriers of recessive diseases and new developments in prenatal diagnosis. Again these areas have been more than adequately covered elsewhere and little new information is added.

The reviewer must profess a preference for the final chapter dealing with the legal implications of AID, *in vitro* fertilisation and embryo transfer. Here, at least, there is a refreshing, albeit brief, breeze of originality and a praiseworthy attempt is made to break some new ground.

This book scarcely merits a 1983 *imprimatur*. However, it may prove valuable to doctors, medical students and paramedical workers who in the past have not found the time to become conversant with these important areas of work.

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A Guide to The Mental Health Act 1983

Robert Buglass, 152 pages, Edinburgh,
£9.95, Churchill Livingstone, 1983

In the post-Gostin era of psychiatric legalism the density of the legal jungle, and the frequency of attendant man traps, to which the mental health professional feels himself exposed is greatly increased. A jungle guide book is here expertly provided by one who was intimately involved in the arguing out of the conceptual and semantic terrain both inside Parliament and as Chairman of the Royal College of Psychiatrists Working Party.

Professor Buglass is a meticulous

writer, well suited therefore to legal psychiatry and he displays a detailed understanding and exposition of provisions which may baffle clinical colleagues. He clearly aims to provide a pocket reference book which may act frequently as a substitute for consultation of the Act itself, although of course he correctly demurs that there is no substitute for knowledge and interpretation of the exact wording of the Act. The book is constructed, as regards major topics, to correspond approximately in order with the parts of the Act and there is occasional intelligent expansion of discussion of topics of particular importance or difficulty, for example that of 'consent to treatment'. There is a uniform layout for each topic which gives background information, a very helpful listing of changes from the previous 1959 legislation and then a statement, frequently using the exact wording of the Act, of the relevant major provisions. The text is usually accurate and unambiguous, whilst providing helpful reference lists for further reading. There is a particularly clear explanation of the intricacies of the relationship between mental health legislation and the criminal law in the chapter on mentally disordered offenders. Similar awareness of other legislation touching on the formal and informal psychiatric patient is repeatedly demonstrated in a way which, at times, develops the book into a more general psychiatric legal commentary: it also goes beyond the Act by including a useful chapter on forensic psychiatric facilities.

At times, however, on reading some of the sections, one does have the feeling that the book would be better titled 'A Guide to Changes Represented by the Mental Health Act 1983'. Clearly, emphasising the ways in which the law is now different is important but, in terms of space, it is often done at the expense of greater explanation and exploration of the current provisions. Much space is also devoted, as far as some topics are concerned, to great detail of the arguments between pressure groups and interested bodies which preceded Parliamentary decisions on individual points, of which the author has intimate and personal knowledge. Lack of emphasis on explanation most clearly emerges in the treatment of Section 1 of the Act which deals with 'mental disorder' where the definition, use and relevance to other parts of the Act of the term and the four categories thereof do, in my teaching experience, give rise to considerable confusion.

A meticulous writer on legal matters would expect to be criticised

meticulously, I hope. There are a small number of errors in the book. Firstly, and very unfortunately, the grounds for admission under Section 3 (2)(c) are wrongly stated as '... for the health and safety of other persons ...'. Under Sections 2 and 3 the power of the Responsible Medical Officer to block discharge is said to be grounded in the patient being 'dangerous'; it should be made clear that this includes being dangerous to himself. Later it is stated in relation to Section 4 that, under the common law doctrine of 'necessity', urgent treatment can be given without consent to 'relieve serious suffering'. Although some uncertainty surrounds 'necessity' this is probably not true and serious danger to life is probably the appropriate basis. There is also an error and a confusion over consent to treatment. It is repeatedly wrongly stated that 'informed consent' is the required standard, perhaps because the book went to press before the recent cases of *Sidaway v Bethlem Royal and Maudsley Hospitals* and *Freeman v Home Office* where it was confirmed that only basic or real consent is required. Also, although rightly stated elsewhere in the text, it is said that Section 62 (urgent treatment) refers to both formal and informal patients. Space precludes exploration of this error but it does give rise to incorrect viewing of the legal justification for emergency treatment of informal patients, which is entirely common law in origin. The author then goes on to give guidelines for interpreting the competency criteria given in the Act. It should be made clear that, in an area recognised by the Mental Health Act Commission to be fraught with conceptual difficulties, these are statements of author opinion having no legal basis.

These few criticisms aside I strongly recommend Professor Buglass's jungle guide book.

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Moral Dilemmas in Medicine

Alastair V Campbell, 179 pages,
Edinburgh, London, Melbourne, New
York, £4.95, Churchill Livingstone,
Third Edition, 1984

The fact that this is the third edition of Dr Campbell's book speaks for itself. He is widely recognised as having written a short, clear readable book which discusses a number of moral